

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADAUNITED STATES OF AMERICA
vs.
JOHN HARLAN HOFFER, JR.**JUDGMENT IN A CRIMINAL CASE**
(For Revocation of Probation or Supervised Release)CASE NUMBER: 3:03-cr-126-LRH(VPC)
USM NUMBER: 37830-048

FILED ENTERED	RECEIVED SERVATION COUNSEL PARTIES OF RECORD
JUN 11 2009	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

Ramon Acosta
DEFENDANT'S ATTORNEY**THE DEFENDANT:**(✓) admitted guilt to violating conditions (see below) of the term of supervision.

() was found in violation of condition(s) _____ after denial of guilt.

The defendant is adjudicated guilty of these violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
1	Defendant shall submit to drug/alcohol testing as directed by the probation officer not to exceed 104 tests per year.	1/16/09
2	The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.	1/16/09
3	Defendant shall pay \$3,075.00 in restitution as directed by the probation officer.	8/29/08

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.(✓) The defendant has not violated the condition of release as alleged in paragraph 4 of the petition and is discharged as to such violation of conditions.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material changes in economic circumstances.

Last Four Digits of Defendant's Soc.Sec.: 8412Defendant's Year of Birth: 1973

City and State of Defendant's Residence: _____

In Custody _____

JUNE 9, 2009

Date of Imposition of Judgment


 Signature of Judge
LARRY R. HICKS
U.S. DISTRICT JUDGE
Name and Title of Judge6/10/09
Date

AO 245D (Rev. 12/07) Judgment in a Criminal Case for Revocations
Sheet 2 - Imprisonment

DEFENDANT: JOHN HARLAN HOFFER, JR.
CASE NUMBER: 3:03-cr-126-LRH(VPC)

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of NINETY (90) DAYS, with credit for time served

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

- ☐ at _____ a.m./p.m. on _____
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ before 2 p.m. on _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation of Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

BY: _____

Deputy U.S. Marshal

DEFENDANT: JOHN HARLAN HOFFER, JR.
CASE NUMBER: 3:03-cr-126-LRH(VPC)

Judgment - Page 3

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of FOURTEEN (14) MONTHS

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 104 drug tests annually. Revocation is mandatory for refusal to comply.

- () The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- (✓) The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- (✓) The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- () The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- () The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 12/07) Judgment in a Criminal Case for Revocations
Sheet 3A - Supervised Release

DEFENDANT: JOHN HARLAN HOFFER, JR.
CASE NUMBER: 3:03-cr-126-LRH(VPC)

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SPECIAL CONDITIONS OF SUPERVISION

1. Possession of Weapon - The defendant shall not possess, have under his/her control, or have access to any firearm, explosive device, or other dangerous weapons, as defined by federal, state or local law.
2. Warrantless Search - The defendant shall submit to the search of his/her person, and any property, residence, or automobile under his/her control by the probation officer, or any other authorized person under the immediate and personal supervision of the probation officer without a search warrant to ensure compliance with all conditions of release.
3. Substance Abuse Treatment - The defendant shall participate in and successfully complete a substance abuse treatment and/or cognitive based life skills program, which will include drug/alcohol testing and outpatient counseling, as approved and directed by the probation officer. Further, the defendant shall be required to contribute to the costs of services for such treatment, as approved and directed by the probation officer, based upon his/her ability to pay.